IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.3172 OF 2006
IN
APPEAL NO. 680 OF 2006
IN
COMPANY APPLICATION NO.545 OF 2006
IN
COMPANY PETITION NO.141 OF 1989

Lila Filomena Braganza .. Appellant
v/s.
Official Liquidator,
High Court, Bombay and others. .. Respondents

Mr. Iqbal Chagla, senior counsel with Mr. Milind Sathe, senior counsel and Mr. C.S. Balsara i/by M/s. Junnarkar & Associates for the Appellant.

Ms. Mili Thakkar i/by Mr. Munir Merchant for the respondent No.2.

Mr. S. Ramakantha, Deputy Official Liquidator present.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 18TH SEPTEMBER, 2006.

P.C.

Heard the senior counsel for the appellant-applicant, the counsel for the respondent No.2 and the Deputy Official Liquidator.

2. The direction given by the learned Company Judge in the order dated 11th August, 2006 that if no steps are taken by the

present appellant-applicant within the stipulated time to initiate appropriate proceedings, the Official Liquidator shall take steps as permitted in law including taking of possession and sale of the property, obviously, means that if no steps are taken by the appellant-applicant to initiate approopriate proceedings for which leave has been granted by the learned Company Judge in para 7 of the impugned order, the Official Liquidator shall execute the decree dated 2nd March, 1979 in accordance with law. In other words, the Official Liquidator shall be at liberty to execute the decree dated 2nd March, 1979 in accordance with law for possession and sale of the property for which the decree has been passed in favour of the company.

With the aforesaid clarification, no further interim order needs to be passed. Order accordingly.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)